

Notice of Allowability

Application No.

10/802,591

Examiner

Minh D. A

Applicant(s)

KURIYAMA, NOBORU

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/21/07.
2. ☒ The allowed claim(s) is/are 1,2,6-9,15,16 and 19-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/17/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/13/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert J. Ballarini on 6/16/07.

The application has been amended as follows:

Claims 3-5, 10-14, 17-18 and 24-28 are cancelled.

Remarks

2. Upon receiving an indication of allowability, Applicant offers to cancel claims 3-5, 10-14, 17-18 and 24-28 without prejudice or disclaimer while reserving the right to prosecute such claims in one or more divisional applications at a later date.

Allowable Subject Matter

3. Claims 1-2, 6-9, 15-16, 19-23 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior art does not teach that, arc discharge is determined to have developed in the glow-discharge apparatus, when V_r/V_f increases to a second level or a higher level within a preset time T_o during which the supply of power is restarted after the supply of power to the glow-discharge apparatus is stopped during the time T_1 in combination with all limitations recited in independent claims 1-2, 15-16.

The remaining dependent claims 6-9, 19-23 are allowable for at least above reason.

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. None of record prior arts stands alone or combination with the others discloses all limitations required in claim invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of relevant prior art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Hug et al (U.S. Patent No. 6,693,944) discloses a sputtering metal ion laser.

Prior art Okazako et al (U.S. Patent No. 5,539,303) discloses a method for monitoring atmospheric pressure glow discharge plasma using current pulse count.

Prior art Johnson et al. (U.S. Patent No. 6,332,961) discloses a device and method for detecting and preventing arcing in RF plasma system.

Prior art Eguchi (U.S. Patent No. 4,177,404) discloses an arc detector for glow discharges.

Inquiry

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2: 45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Owens Douglas W can be reached on (571) 272-1662 can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2821

Examiner

Minh A

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6/17/07

Shih-Chao Chen
SHIH-CHAO CHEN
PRIMARY EXAMINER